

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE :  
 :  
GEORGE AND DOLORES STARETZ : CHAPTER 13  
Debtors. :  
\*\*\*\*\*  
AMERICREDIT FINANCIAL SERVICES, :  
INC., d/b/a GM FINANCIAL :  
 :  
Movant, :  
 :  
vs. :  
GEORGE AND DOLORES STARETZ : CASE NO. 19-14972  
 :  
Respondents. :

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**DEBTORS' ANSWER TO MOTION FOR RELIEF FROM  
AUTOMATIC STAY UNDER SECTION 362**

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AND NOW COMES, George and Dolores Staretz, and files an Answer to Americredit  
Financial Services Motion for Relief From the Automatic Stay:

1. George and Dolores Staretz, (hereinafter the "Debtor") filed a Chapter 13 bankruptcy proceeding with the U.S. Bankruptcy Court for the Eastern District of Pennsylvania.
2. Scott Waterman, Esq. was appointed the Chapter 13 Trustee.
3. Under the Chapter 13 Plan, Debtors were to make regular monthly payments to the Movant outside of the Plan.
4. Movant alleges that Debtor has failed to make monthly car loan payments.
5. Debtors' Counsel is in the process of contacting the Debtor to ascertain if said payments have been made and/or if Debtors are in possession of funds to cure the alleged default.
6. In the event there remains an arrears, the Debtor wishes to enter into a Stipulation to cure the arrears by including them in an amended Plan, or in the alternative over a six month period.

7. Movant is not entitled to relief from the automatic stay as there is equity in the property encumbered by Movant's security interest, arrearage amount due has been paid or shall be paid through the Chapter 13 Plan, and, therefore, the Movant is adequately protected.

WHEREFORE, the Debtors respectfully request that Movant's Motion for Relief from the Automatic Stay be denied.

Respectfully submitted,

Date: July 22, 2020

/s/Tullio DeLuca  
Tullio DeLuca, Esquire  
PA ID# 59887  
381 N. 9<sup>th</sup> Avenue  
Scranton, PA 18504  
(570) 347-7764

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**CERTIFICATE OF SERVICE**

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The undersigned hereby certifies that on July 22, 2020, he caused a true and correct copy of  
Debtor's Answer to Americredit Financial Services Motion for Relief from the Automatic Stay to  
be served via electronic filing to the CM/ECF participant at the following:

Scott Waterman, Esq. at [ECFMail@readingCg13.com](mailto:ECFMail@readingCg13.com)

William E. Craig, Esq. at [bcraig@mortoncraig.com](mailto:bcraig@mortoncraig.com)

Date: July 22, 2020

/s/Tullio DeLuca  
Tullio DeLuca, Esq.